

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

FEB 4 2019

Clerk, U S District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESUS BAUTISTA-ARREDONDO,

Defendant.

CR 19-03-BLG-SPW

ORDER

Defendant has filed a Motion for Examination to Determine Mental Competency (Doc. 13). Defendant's motion is brought pursuant to 18 U.S.C. § 4241 and 4242 and not opposed by the United States.

After reviewing the motion, the Court finds reasonable cause to believe the Defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

Accordingly, IT IS ORDERED:

1. The Motion to Determine Mental Competency (Doc. 13) is **GRANTED**.

Jesus Bautista-Arredondo shall undergo an evaluation to determine his

competency to proceed in this matter in accordance with 18 U.S.C. § 4247(b)-(c) at a federal facility designated by the Bureau of Prisons.

2. The United States Marshals Service shall request that the Bureau of Prisons designate a federal facility where Defendant shall be evaluated.

The United States Marshals Service shall notify the Court when it receives notice of the facility that has been designated.

3. All time from the date of this Order until the date of the Court's determination as to Defendant's competency is excludable under the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

IT IS FURTHER ORDERED that Trial in this matter presently set for Monday, March 25, 2019 at 9:00 a.m. is **VACATED** until further Order of the Court.

The Clerk of Court shall immediately notify the parties and the United States Marshals Service of the entry of this Order.

DATED this 4th day of February, 2019.


SUSAN P. WATTERS
United States District Judge